

3 shall continue until July 1, 1967 at which date said terms shall be  
4 deemed abolished.\*

Approved July 27, 1967.

This Act was passed by the G. A. before July 1, 1967.

\*See Opinion of the Attorney General, August 8, 1967.

CHAPTER 400  
ABOLISHING TERMS OF COURT

S. F. 288

AN ACT to abolish terms for holding court in the district courts of the state.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section twenty-nine A point forty-six (29A.46),  
2 Code 1966, is amended by striking from line eighteen (18) the words  
3 "in regular term time".

1 SEC. 2. Section sixty-six point seven (66.7), Code 1966, is amend-  
2 ed by striking from line one (1) the words "the filing,"; all of line  
3 two (2) and that part of line three (3) preceding the word "presen-  
4 tation".

5 Further amend said section by striking from line three (3) the word  
6 "same" and inserting in lieu thereof the word "petition".  
7 Further amend said section by striking from line four (4) the  
8 word "judge" preceding the comma and inserting in lieu thereof the  
9 word "court" and by striking from line four (4) the words "or  
10 judge" and from line five (5) the word "his" and inserting in lieu of  
11 the latter the word "its".

1 SEC. 3. Section sixty-six point nine (66.9), Code 1966, is amend-  
2 ed by striking from line two (2) the words "or of a judge thereof".

1 SEC. 4. Section sixty-six point eighteen (66.18), Code 1966, is  
2 amended by striking from line two (2) the comma after the word  
3 "nature" and inserting in lieu thereof the word "and".

4 Further amend said section by striking all after the word "action"  
5 in line three (3).

1 SEC. 5. Section sixty-six point nineteen (66.19), Code 1966, is  
2 amended by striking from line six (6) the words "or judge thereof".

1 SEC. 6. Section sixty-six point twenty-two (66.22), Code 1966, is  
2 amended by striking from line four (4) thereof the words "or  
3 judge".

1 SEC. 7. Section sixty-seven point three (67.3), Code 1966, is  
2 amended by striking from line five (5) the words "or judge thereof".

3 Further amend said section by striking from lines six (6) and  
4 seven (7) the words "or judge".

1 SEC. 8. Section seventy point five (70.5), Code 1966, is amended  
2 by striking from line twenty-four (24) the words "entered on the".

3 Further amend said section by striking all of lines twenty-five  
4 (25) and twenty-six (26) and inserting in lieu thereof the words  
5 "accorded such preference in its assignment for trial as to assure its  
6 prompt disposition."

1 SEC. 9. Section eighty-two point ten (82.10), Code 1966, is  
2 amended by striking from lines fifteen (15), sixteen (16) and seven-  
3 teen (17) the words "and the first term after the appeal is perfected  
4 shall be the trial term".

1 SEC. 10. Section eighty-two point thirty-eight (82.38), Code  
2 1966, is amended by striking all of lines four (4) to thirteen (13),  
3 inclusive, beginning with the comma in line four (4) and ending with  
4 the word "vacation" in line thirteen (13).

1 SEC. 11. Section eighty-four point twelve (84.12), Code 1966, is  
2 amended by striking from subsection two (2), line seven (7) the  
3 words "in term time or vacation".

1 SEC. 12. Section eighty-five point forty-five (85.45), Code 1966,  
2 is amended by striking from subsection three (3), line two (2) the  
3 words "or a judge thereof".

1 SEC. 13. Section eighty-five point forty-six (85.46), Code 1966,  
2 is amended by striking from lines four (4) and five (5) the words  
3 "or to any judge thereof".

4 Further amend said section by striking from line eleven (11) the  
5 words "or judge in term time or vacation".

1 SEC. 14. Section eighty-five point forty-nine (85.49), Code 1966,  
2 is amended by striking from lines eleven (11) and twelve (12) the  
3 words ", during term time or in vacation".

1 SEC. 15. Section eighty-five point fifty-two (85.52), Code 1966, is  
2 amended by striking from line seven (7) the words "or a judge  
3 thereof".

4 Further amend said section by striking from line fifteen (15) the  
5 words "or judge" and from lines seventeen (17) and eighteen (18)  
6 the words "or judge".

1 SEC. 16. Section eighty-six point twenty-eight (86.28), Code 1966,  
2 is repealed and the following enacted in lieu thereof:

3 "The appeal shall be triable at any time after the expiration of  
4 twenty days from the date of filing the transcript by the commission-  
5 er and after twenty days notice in writing by either party upon the  
6 other. Such appeal shall be accorded priority over other matters  
7 pending before the district court."

1 SEC. 17. Section ninety-six point fourteen (96.14), Code 1966, is  
2 amended by striking from the second paragraph of subsection seven  
3 (7) everything following the comma in line six (6) and inserting in  
4 lieu thereof the following: "you will be adjudged in default, your  
5 default entered of record, and judgment rendered against you for the  
6 relief prayed in plaintiff's petition."

1 SEC. 18. Section ninety-nine point six (99.6), Code 1966, is  
2 amended by striking from line three (3) the words "or judge in  
3 vacation,".

4 Further amend said section by striking from line ten (10) the  
5 words "or judge".

1 SEC. 19. Section ninety-nine point thirteen (99.13), Code 1966,  
2 is repealed.

1 SEC. 20. Section ninety-nine point sixteen (99.16), Code 1966, is  
2 amended by striking from line six (6) the words "more than one  
3 term of court" and substituting in lieu thereof the words "beyond the  
4 first trial calendar to which assigned".

1 SEC. 21. Section ninety-nine point eighteen (99.18), Code 1966,  
2 is amended by striking from line six (6) the words ", or in vacation  
3 of a judge thereof,".

1 SEC. 22. Section ninety-nine point nineteen (99.19), Code 1966,  
2 is amended by striking from line five (5) the words "or judge".

1 SEC. 23. Section ninety-nine point twenty-six (99.26), Code 1966,  
2 is amended by striking from lines six (6) and seven (7) the words  
3 "or in vacation by the judge thereof" and by striking from line eleven  
4 (11) the words "or in vacation the judge,".

1 SEC. 24. Section one hundred point seventeen (100.17), Code  
2 1966, is amended by striking from lines four (4) and five (5) the  
3 words "and term thereof".

1 SEC. 25. Section one hundred point eighteen (100.18), Code  
2 1966, is repealed and the following enacted in lieu thereof:

3 "Said appeal shall be triable in equity any time after the filing of  
4 the transcript. The court may affirm, modify or revoke the order  
5 from which the appeal is taken."

1 SEC. 26. Section one hundred twelve point eight (112.8), Code  
2 1966, is amended by striking from lines fifteen (15), sixteen (16)  
3 and seventeen (17) the words "will come on for hearing at the next  
4 succeeding term of the court and designating such term." and sub-  
5 stituting in lieu thereof the words "may be heard at any time after  
6 the expiration of twenty days following completion of service of  
7 notice."

1 SEC. 27. Section one hundred thirteen point twenty-three  
2 (113.23), Code 1966, is repealed and the following enacted in lieu  
3 thereof:

4 "Any person affected by an order or decision of the fence viewers  
5 may appeal to the district court by filing with the clerk of said court  
6 a notice of appeal within twenty days after the rendition of the order  
7 or decision appealed from and filing an appeal bond in an amount  
8 approved by the township clerk. The township clerk, after recording  
9 the original papers, shall thereupon file them in the office of the clerk  
10 of the district court, certifying them to be such, and the clerk shall  
11 docket them, entitling the applicant or petitioner as plaintiff, and it  
12 shall stand for trial as other cases."

1 SEC. 28. Section one hundred twenty-three point sixty-six  
2 (123.66), Code 1966, is repealed and the following enacted in lieu  
3 thereof:

4 "Any action brought hereunder shall be accorded priority over  
5 other business pending before the district court."

1 SEC. 29. Section one hundred twenty-three point sixty-eight  
2 (123.68), Code 1966, is amended by striking from lines three (3)  
3 and four (4) the words ", or in vacation a judge thereof," and strik-  
4 ing from line nine (9) the words "or judge".

1 SEC. 30. Section one hundred twenty-three point seventy-seven  
2 (123.77), Code 1966, is amended by striking from lines five (5), six  
3 (6) and seven (7) the words "or in vacation by the clerk, auditor  
4 and treasurer of the county," and by striking from lines ten (10) and  
5 eleven (11) the words "or in vacation a judge".

1 SEC. 31. Section one hundred twenty-three point eighty-three  
2 (123.83), Code 1966, is amended by striking from line eight (8) the  
3 words "judge or".

1 SEC. 32. Section one hundred twenty-four point forty (124.40),  
2 Code 1966, is amended by striking from lines sixty-seven (67) and  
3 sixty-eight (68) the words ", or a judge thereof in vacation".

4 Further amend said section by striking from line seventy-eight  
5 (78) the words "or judge".

6 Further amend said section by striking from line eighty-five (85)  
7 the sentence following the words "appealed from." and inserting in  
8 lieu thereof the following:

9 "The appeal shall be heard and determined by the district court  
10 without jury and shall be accorded preference over other matters  
11 pending in said court."

12 Further amend said section by striking from line ninety-three  
13 (93) the words ", or judge thereof in vacation,".

14 Further amend said section by striking from line ninety-six (96)  
15 the words "or judge".

1 SEC. 33. Section one hundred twenty-seven point seven (127.7),  
2 Code 1966, is amended by striking from lines six (6) and seven (7)  
3 the words "or a judge thereof".

4 Further amend said section by striking from line eight (8) the  
5 words "or judge".

1 SEC. 34. Section one hundred twenty-eight point two (128.2),  
2 Code 1966, is amended by striking from line two (2) the words ", or  
3 a judge in vacation,".

4 Further amend said section by striking from lines six (6) and nine  
5 (9) the words "or judge".

1 SEC. 35. Section one hundred twenty-eight point five (128.5),  
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "Such action shall be accorded priority over other matters pending  
4 in the district court."

1 SEC. 36. Section one hundred twenty-eight point eleven (128.11),  
2 Code 1966, is amended by striking from lines two (2) and three (3)

3 the words "two terms of court" and inserting in lieu thereof the  
4 words "for more than one hundred and twenty days after its com-  
5 mencement".

1 SEC. 37. Section one hundred twenty-eight point thirteen  
2 (128.13), Code 1966, is amended by striking from lines three (3) and  
3 four (4) the words ", or in vacation a judge thereof,".

1 SEC. 38. Section one hundred twenty-eight point twenty-three  
2 (128.23), Code 1966, is amended by striking from lines five (5), six  
3 (6) and seven (7) the words "or, in vacation, by the clerk, auditor,  
4 and treasurer of the county,".

5 Further amend said section by striking from line eleven (11) the  
6 words ", or, in vacation, the judge,".

1 SEC. 39. Section one hundred twenty-eight point twenty-nine  
2 (128.29), Code 1966, is amended by striking from line eight (8) the  
3 words "judge or".

1 SEC. 40. Section one hundred thirty point three (130.3), Code  
2 1966, is amended by striking all of said section after the comma in  
3 line five (5) and inserting in lieu thereof the words "before service  
4 of notice hereinafter provided".

1 SEC. 41. Section one hundred thirty point four (130.4), Code  
2 1966, is repealed and the following enacted in lieu thereof:

3 "Notice of an application for a permit shall state the name of the  
4 court and that the petition is on file in the office of the clerk of said  
5 court. It shall further state the name of the applicant, with the firm  
6 name, if any, under which he is doing business, the purpose of the  
7 application, the particular location of the place where the proposed  
8 business is to be carried on, and that the petition may be heard at  
9 any time after a fixed date set forth in the notice which shall be at  
10 least twenty days after the first publication of notice as hereinafter  
11 provided."

1 SEC. 42. Section one hundred thirty point five (130.5), Code  
2 1966, is amended by striking all of subsection one (1) after the word  
3 "proceedings" in line nine (9).

1 SEC. 43. Section one hundred thirty point seven (130.7), Code  
2 1966, is repealed and the following substitute is enacted in lieu there-  
3 of:

4 "Such applications shall be accorded priority for disposition over  
5 other business pending before the court."

1 SEC. 44. Section one hundred thirty point eight (130.8), Code  
2 1966, is repealed.

1 SEC. 45. Section one hundred thirty point ten (130.10), Code  
2 1966, is amended by striking from lines seven (7) and eight (8) the  
3 words "by noon of the first day of the term" and inserting in lieu  
4 thereof the words "on or before the day fixed in the notice".

1 SEC. 46. Section one hundred thirty point thirty-nine (130.39),  
2 Code 1966, is amended by striking from line twelve (12) the words  
3 ", or a judge thereof,".

4 Further amend said section by striking from line fourteen (14)  
5 the words "or judge".

1 SEC. 47. Section one hundred thirty point forty-nine (130.49),  
2 Code 1966, is amended by striking from line four (4) the words "a  
3 court or judge" and inserting in lieu thereof the word "court".

4 Further amend said section by striking from line six (6) the words  
5 "or a judge thereof,".

1 SEC. 48. Section one hundred thirty point fifty (130.50), Code  
2 1966, is amended by striking from line six (6) the words "or judge".

1 SEC. 49. Section one hundred thirty point fifty-two (130.52),  
2 Code 1966, is amended by striking from line eleven (11) the words  
3 "or judge".

1 SEC. 50. Section one hundred thirty point fifty-three (130.53),  
2 Code 1966, is amended by striking all of said section after the word  
3 "court" in line three (3).

1 SEC. 51. Section one hundred thirty point fifty-seven (130.57),  
2 Code 1966, is amended by striking from lines six (6) and seven (7)  
3 the words "or judge thereof,".

1 SEC. 52. Section one hundred thirty-one point twenty-three  
2 (131.23), Code 1966, is amended by striking from line six (6) the  
3 words ", or to a judge thereof,".

1 SEC. 53. Section one hundred forty-seven point sixty-three  
2 (147.63), Code 1966, is amended by striking from lines two (2) and  
3 three (3) the words "or judge".

1 SEC. 54. Section one hundred forty-seven point sixty-five  
2 (147.65), Code 1966, is repealed and the following enacted in lieu  
3 thereof:

4 "The proceeding shall be summary in its nature and triable as an  
5 equitable action."

1 SEC. 55. Section one hundred forty-seven point seventy-one  
2 (147.71), Code 1966, is amended by striking from line four (4) the  
3 words "or judge".

1 SEC. 56. Section two hundred eighteen point twenty-two  
2 (218.22), Code 1966, is amended by striking from lines two (2) and  
3 three (3) the words "judge or".

1 SEC. 57. Section two hundred eighteen point thirty-two (218.32),  
2 Code 1966, is amended by striking from line six (6) the words "or  
3 any judge thereof,".

4 Further amend said section by striking from line seven (7) the  
5 words "or judge".

1 SEC. 58. Section two hundred twenty-seven point twelve  
2 (227.12), Code 1966, is amended by striking from line seven (7) the  
3 words ", or judge thereof,".

1 SEC. 59. Section two hundred twenty-eight point three (228.3),  
2 Code 1966, is amended by striking from lines two (2) and three (3)  
3 the words "or judges thereof".  
4 Further amend said section by striking the second sentence.

1 SEC. 60. Section two hundred twenty-nine point three (229.3),  
2 Code 1966, is amended by striking from lines seven (7) and eight  
3 (8) the words "or to a judge thereof".  
4 Further amend said section by striking from line eight (8) the  
5 words "or judge".  
6 Further amend said section by striking from line ten (10) the  
7 words "or judge".

1 SEC. 61. Section two hundred fifty-two point ten (252.10), Code  
2 1966, is amended by striking from line six (6) the words "or judge  
3 thereof".  
4 Further amend said section by striking from line eleven (11) the  
5 words "or judge".

1 SEC. 62. Section three hundred eleven point twenty-four  
2 (311.24), Code 1966, is amended by striking from lines twelve (12)  
3 and thirteen (13) the words "The appearance term shall be the trial  
4 term."  
5 Further amend said section by striking from line fourteen (14)  
6 the words "of the term" and inserting in lieu thereof the words  
7 "pending before the court".

1 SEC. 63. Section three hundred eleven point twenty-five (311.25),  
2 Code 1966, is amended by striking from lines five (5), six (6) and  
3 seven (7) the words "on or before the first day of the first term of  
4 the court, after taking said appeal," and inserting in lieu thereof the  
5 words "within twenty days after perfection of said appeal,".

1 SEC. 64. Section three hundred twenty-one point five hundred  
2 (321.500), Code 1966, is amended by striking all of said section after  
3 the word "court" in line fifteen (15).

1 SEC. 65. Section three hundred twenty-four point sixty-eight  
2 (324.68), Code 1966, is amended by striking from line twenty (20)  
3 the words "or to any judge thereof".  
4 Further amend said section by striking from line twenty-one (21)  
5 the words "or judge".

1 SEC. 66. Section three hundred twenty-five point twenty-two  
2 (325.22), Code 1966, is amended by striking all of said section after  
3 the word "court" in line six (6) and inserting in lieu thereof the  
4 words "within twenty days following the taking of such appeal."

1 SEC. 67. Section three hundred forty-nine point thirteen  
2 (349.13), Code 1966, is repealed and the following enacted in lieu  
3 thereof:  
4 "Said appeal shall be triable de novo as an equitable action without  
5 formal pleadings at any time after the expiration of twenty days  
6 following the filing of such transcript."

1 SEC. 68. Section three hundred fifty-six point seven (356.7),  
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "On or before the fifteenth day of the months of January, April,  
4 July and October each year, the sheriff of each county must return a  
5 copy of such calendar to the district court of the district within which  
6 his county is situated. If a sheriff neglects or refuses to do so, he  
7 shall be punished by a fine not exceeding one hundred dollars."

1 SEC. 69. Section three hundred fifty-six point ten (356.10), Code  
2 1966, is repealed and the following enacted in lieu thereof:

3 "Such inspectors shall visit and inspect such prisons twice each  
4 year, and, on or before the fifteenth day of the first month of the next  
5 calendar quarter, present to such court a detailed report of the con-  
6 dition of such prisons at the time of such inspection."

1 SEC. 70. Section three hundred sixty-two point six (362.6), Code  
2 1966, is amended by striking from lines thirteen (13) and fourteen  
3 (14) the words ", or judge thereof,".

4 Further amend said section by striking from lines fifteen (15) and  
5 sixteen (16) the words ", or judge in vacation".

6 Further amend said section by striking from lines sixteen (16)  
7 and seventeen (17) the words "or judge thereof".

1 SEC. 71. Section three hundred sixty-two point seven (362.7),  
2 Code 1966, is amended by striking from lines four (4) and five (5)  
3 the words ", or in vacation a judge thereof,".

1 SEC. 72. Section three hundred sixty-two point eight (362.8),  
2 Code 1966, is amended by striking from lines three (3) and four (4)  
3 the words ", or in vacation a judge thereof,".

4 Further amend said section by striking from line thirteen (13) the  
5 words "or judge".

1 SEC. 73. Section three hundred sixty-two point thirty-two  
2 (362.32), Code 1966, is amended by striking from lines three (3) and  
3 four (4) of subsection three (3) the words "at the next term there-  
4 of" and inserting in lieu thereof the words "within thirty days fol-  
5 lowing their appointment or at such later time as the court may  
6 direct".

1 SEC. 74. Section three hundred sixty-five point twenty-five  
2 (365.25), Code 1966, is amended by striking from line seven (7) the  
3 words "or to any judge thereof".

4 Further amend said section by striking from line eight (8) the  
5 words "or judge".

6 Further amend said section by striking from lines ten (10) and  
7 eleven (11) the words "or judge".

1 SEC. 75. Section three hundred eighty-seven point fifteen  
2 (387.15), Code 1966, is amended by striking from lines ten (10) and  
3 eleven (11) the words "at the first term to which such action is  
4 brought" and inserting in lieu thereof the words "within twenty days  
5 after commencement of the action".

1 SEC. 76. Section three hundred ninety-one point eighty-three  
2 (391.83), Code 1966, is amended by striking from lines eight (8) and  
3 nine (9) the words “, or a judge thereof in vacation.”.

1 SEC. 77. Section three hundred ninety-one point eighty-nine  
2 (391.89), Code 1966, is amended by striking from lines two (2) and  
3 three (3) of subsection three (3) the words “on or before noon of  
4 the second day of the first term of said court convening” and insert-  
5 ing in lieu thereof the words “within twenty days”.

1 SEC. 78. Section four hundred nine point fifteen (409.15), Code  
2 1966, is amended by striking from said section all after the word  
3 “clerk” in line fifteen (15).

4 Further amend said section by adding at the end thereof the fol-  
5 lowing: “Such appeal shall be triable de novo as an equitable pro-  
6 ceeding and accorded such preference in assignment as to assure its  
7 prompt disposition.”

1 SEC. 79. Section four hundred nine point twenty-two (409.22),  
2 Code 1966, is amended by striking from said section all after the  
3 comma in line eight (8) and inserting in lieu thereof the words “and  
4 notice shall be published once each week for three consecutive weeks  
5 in a newspaper of general circulation published within the county”.

1 SEC. 80. Section four hundred nine point twenty-three (409.23),  
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 “After completion of notice, the court shall fix a time for hearing  
4 the petition and notice of the day so fixed shall be given by the clerk by  
5 publication in a newspaper of general circulation published within the  
6 county not less than twenty days in advance of the date set for hear-  
7 ing.”

1 SEC. 81. Section four hundred thirteen point one hundred fourteen  
2 (413.114), Code 1966, is amended by striking from lines four (4) and  
3 five (5) the words “, or to any judge thereof in term time or vaca-  
4 tion.”.

1 SEC. 82. Section four hundred thirteen point one hundred fifteen  
2 (413.115), Code 1966, is amended by striking from lines five (5) and  
3 six (6) the words “or to any judge thereof in term time or vacation”.

1 SEC. 83. Section four hundred thirteen point one hundred sixteen  
2 (413.116), Code 1966, is amended by striking from lines one (1) and  
3 two (2) the words “or any judge thereof”.

1 SEC. 84. Section four hundred twenty-one point twenty (421.20),  
2 Code 1966, is amended by striking from lines three (3) and four (4)  
3 the words “or before any judge thereof.”.

1 SEC. 85. Section four hundred fifty point twenty-four (450.24),  
2 Code 1966, is amended by striking from lines two (2) and three (3)  
3 the words “annually, at the first term of the court therein,” and in-  
4 serting in lieu thereof the words “on or before January 15 of each  
5 year.”.

6 Further amend said section by striking from line thirteen (13) all  
7 after the word “court”.

8 Further amend said section by striking from line fourteen (14) the  
9 words "court, or judge thereof in vacation," and inserting in lieu  
10 thereof the words "The court".

11 Further amend said section by striking from line twenty (20) the  
12 words "or by a judge in vacation".

1 SEC. 86. Section four hundred fifty point twenty-eight (450.28),  
2 Code 1966, is amended by striking from line thirteen (13) the words  
3 "or judge".

1 SEC. 87. Section four hundred fifty point thirty (450.30), Code  
2 1966, is amended by striking from lines eight (8) and nine (9) the  
3 words "if in session, or judge thereof in vacation,".

1 SEC. 88. Section four hundred fifty point forty-one (450.41), Code  
2 1966, is amended by striking from lines seven (7) and eight (8) the  
3 words "or judge thereof in vacation".

1 SEC. 89. Section four hundred fifty point forty-two (450.42), Code  
2 1966, is amended by striking from line two (2) the words "or judge  
3 thereof in vacation".

4 Further amend said section by striking from line nine (9) the words  
5 "or judge".

1 SEC. 90. Section four hundred fifty point eighty-three (450.83),  
2 Code 1966, is amended by striking from lines one (1) and two (2) the  
3 words "On the first day of each regular term," and inserting in lieu  
4 thereof the words "On or before the fifteenth day of the first month  
5 of each calendar quarter".

6 Further amend said section by striking from line eight (8) the word  
7 "term" and inserting in lieu thereof the words "quarterly inspection".

8 Further amend said section by striking from lines twenty-five (25)  
9 and twenty-seven [27]\* the words "or judge".

1 SEC. 91. Section four hundred fifty-five point ninety-four  
2 (455.94), Code 1966, is amended by striking the comma after the word  
3 "taken" in line six (6) and inserting in lieu thereof the word "and".

4 Further amend said section by striking from lines eight (8), nine  
5 (9) and ten (10) the words "at the next succeeding term of the court  
6 and designating such term" and inserting in lieu thereof the words  
7 "thirty days following perfection of the appeal with allowances of  
8 additional time for good cause shown".

1 SEC. 92. Section four hundred fifty-five point ninety-six (455.96),  
2 Code 1966, is amended by striking from lines one (1) and two (2) the  
3 words "On or before the first day of the next succeeding term of  
4 court," and inserting in lieu thereof the words "Within twenty days  
5 after perfection of the appeal,".

1 SEC. 93. Section four hundred fifty-five point one hundred ninety-  
2 one (455.191), Code 1966, is amended by striking from line three (3)  
3 the words "or a judge thereof,".

4 Further amend said section by striking from lines four (4) and five  
5 (5) the words "which may be in term time or vacation,".

\*Figures supplied by editor; see §3.1(3) of the Code.

1 SEC. 94. Section four hundred fifty-five point one hundred ninety-  
2 two (455.192), Code 1966, is amended by striking from lines two (2)  
3 and three (3) the words "or a judge thereof,".

4 Further amend said section by striking from line four (4) the words  
5 "or judge".

1 SEC. 95. Section four hundred fifty-seven point twenty-six  
2 (457.26), Code 1966, is hereby repealed and the following enacted in  
3 lieu thereof:

4 "Within thirty days after completion of notice, the auditor shall,  
5 acting jointly, prepare and certify to the clerk of the district court a  
6 full and complete transcript of all proceedings had in such case. The  
7 clerk of the district court shall thereupon docket the case and same  
8 shall be triable in equity at any time after the expiration of twenty  
9 days thereafter."

1 SEC. 96. Section four hundred sixty-one point twenty-eight  
2 (461.28), Code 1966, is amended by striking from lines thirteen (13)  
3 and fourteen (14) the words ", or to any judge thereof in term time,  
4 or in vacation,".

1 SEC. 97. Section four hundred sixty-four point three (464.3),  
2 Code 1966, is amended by striking from lines two (2) and three (3)  
3 the words "judge for said court, either in session, or in vacation," and  
4 inserting in lieu thereof the word "court".

1 SEC. 98. Section four hundred sixty-seven A point thirty  
2 (467A.30), Code 1966, is amended by striking from lines eight (8),  
3 nine (9) and ten (10) the words "at the next succeeding term of the  
4 court and designating such term." and inserting in lieu thereof the  
5 words "thirty days following perfection of the appeal with allowances  
6 of additional time for good cause shown."

1 SEC. 99. Section four hundred sixty-seven A point thirty-one  
2 (467A.31), Code 1966, is amended by striking all of lines one (1) and  
3 two (2) and inserting in lieu thereof the words "Within twenty days  
4 after perfection of notice,".

1 SEC. 100. Section four hundred seventy-two point nineteen  
2 (472.19), Code 1966, is amended by striking from line thirteen (13)  
3 the words "or a judge thereof,".

1 SEC. 101. Section four hundred seventy-two point twenty-two  
2 (472.22), Code 1966, is amended by striking from lines two (2), three  
3 (3) and four (4) the words "on or before the first day of the term to  
4 which the appeal is taken," and inserting in lieu thereof the words  
5 "within twenty days after perfection of the appeal,".

6 Further amend said section by inserting after the first sentence the  
7 words "The court may for good cause shown grant additional time for  
8 the filing of the petition."

1 SEC. 102. Section four hundred seventy-four point twenty  
2 (474.20), Code 1966 is amended by striking from line seven (7) the  
3 words "or judge thereof".

1 SEC. 103. Section four hundred seventy-four point twenty-five  
2 (474.25), Code 1966, is amended by striking from lines four (4), five  
3 (5) and six (6) the words "at the first term of court to which said  
4 cause is brought, which shall be the trial term," and inserting in lieu  
5 thereof the words "within twenty days after commencement of the  
6 action".

1 SEC. 104. Section four hundred eighty point one (480.1), Code  
2 1966, is repealed and the following enacted in lieu thereof:

3 "Any railroad desiring to change or remove the line of its road, after  
4 the same has been permanently located and constructed, may file a  
5 petition in the district court in any county wherein the change or  
6 removal is proposed to be made, naming as defendants all trustees,  
7 mortgagees, and other lienholders, and all townships, cities, and coun-  
8 ties which have aided by taxation to build the road, describing with  
9 reasonable accuracy that portion of its line which it seeks to have  
10 changed or removed, and asking the court to grant authority to make  
11 such change or removal."

1 SEC. 105. Section four hundred eighty point two (480.2), Code  
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Upon filing of the petition, notices shall be served upon the de-  
4 fendants as in other actions and upon the public by notice addressed  
5 'to all whom it may concern' published in a newspaper of general cir-  
6 culation, printed within the county, once each week for a period of ten  
7 consecutive weeks. All notices shall state the date of filing of the peti-  
8 tion, the object thereof, and that the application may be heard at any  
9 time after a fixed date prescribed by the notice, which shall be not less  
10 than twenty days following the date of last publication. In addition,  
11 the public notice shall notify all persons desiring the repayment of  
12 money or return of property, as in this chapter provided, to appear  
13 and present their claims therefor. The court may order any additional  
14 notice or publication that it deems proper."

1 SEC. 106. Section four hundred eighty-four point eighteen  
2 (484.18), Code 1966, is amended by striking the first two sentences  
3 and substituting in lieu thereof the following:

4 "The appeal shall be triable in equity at any time following the ex-  
5 piration of twenty days after filing of the transcript and shall be ac-  
6 corded priority for disposition over all other civil causes."

1 SEC. 107. Section four hundred eighty-five point three (485.3),  
2 Code 1966, is amended by striking from the seventh paragraph, line  
3 four (4) the words "the first term" and inserting in lieu thereof the  
4 words "within thirty days".

5 Further amend said section by striking from the seventh paragraph,  
6 line seven (7) the words "and try the same thereat, if possible." and  
7 inserting in lieu thereof the words "pending before the court."

1 SEC. 108. Section four hundred eighty-five point four (485.4),  
2 Code 1966, is amended by striking from line nine (9) the words ", or  
3 a judge thereof,".

1 SEC. 109. Section four hundred ninety-nine point nine (499.9),  
2 Code 1966, is amended by striking from line four (4) of the third  
3 paragraph the words "or any judge thereof".

1 SEC. 110. Section five hundred seven point ten (507.10), Code  
2 1966, is amended by striking from lines eighteen (18) and nineteen  
3 (19) the words "or any judge thereof".

1 SEC. 111. Section five hundred seven point seventeen (507.17),  
2 Code 1966, is amended by striking from line nine (9) the words "or a  
3 judge thereof".

1 SEC. 112. Section five hundred eight point fourteen (508.14),  
2 Code 1966, is amended by striking from lines ten (10) and eleven (11)  
3 the words ", if the court is in session, if not, to any judge thereof,".

4 Further amend said section by striking from lines thirteen (13) and  
5 fourteen (14) the words "or judge, as the case may be,".

1 SEC. 113. Section five hundred eight point seventeen (508.17),  
2 Code 1966, is amended by striking from line nine (9) the words "or  
3 any judge thereof,".

4 Further amend said section by striking from line seventeen (17) the  
5 words "judge of such".

1 SEC. 114. Section five hundred ten point twenty-seven (510.27),  
2 Code 1966, is amended by striking from line two (2) the words "or  
3 judge".

1 SEC. 115. Section five hundred twelve point one hundred one  
2 (512.101), Code 1966, is amended by striking from line eighteen (18)  
3 the words "or any judge thereof".

1 SEC. 116. Section five hundred fifteen point eighty-five (515.85),  
2 Code 1966, is amended by striking from lines thirty-one (31) and  
3 thirty-two (32) the words ", or if in vacation to one of the judges  
4 thereof,".

5 Further amend said section by striking from line thirty-five (35)  
6 the words "or judge, as the case may be,".

7 Further amend said section by striking from line thirty-eight (38)  
8 the words "or his".

9 Further amend said section by striking from line forty-one (41) the  
10 words "it or he" and inserting in lieu thereof the words "said court".

11 Further amend said section by striking from line forty-five (45)  
12 the words "or judge".

13 Further amend said section by striking from lines forty-seven (47)  
14 and forty-eight (48) the words "or judge".

1 SEC. 117. Section five hundred twenty-eight point thirty-three  
2 (528.33), Code 1966, is amended by striking from line four (4) the  
3 words ", or a judge thereof,".

1 SEC. 118. Section five hundred twenty-eight point thirty-seven  
2 (528.37), Code 1966, is amended by striking from line three (3) the  
3 words "or judge thereof".

1 SEC. 119. Section five hundred twenty-eight point forty-five  
2 (528.45), Code 1966, is amended by striking from line three (3) the  
3 words “, or any judge thereof,”.

4 Further amend said section by striking from line fourteen (14) the  
5 words “or judge”.

1 SEC. 120. Section five hundred twenty-eight point forty-six  
2 (528.46), Code 1966, is amended by striking from lines two (2), five  
3 (5) and eight (8) the words “or judge” in each instance.

1 SEC. 121. Section five hundred twenty-eight point one hundred  
2 twenty (528.120), Code 1966, is amended by striking from lines three  
3 (3) and four (4) the words “or a judge thereof”.

1 SEC. 122. Section five hundred twenty-eight point one hundred  
2 twenty-one (528.121), Code 1966, is amended by striking from line  
3 four (4) the words “judge or”.

1 SEC. 123. Section five hundred twenty-eight point one hundred  
2 twenty-three (528.123), Code 1966, is amended by striking from lines  
3 twelve (12) and thirteen (13) the words “or a judge thereof”.

1 SEC. 124. Section five hundred sixty-one point eight (561.8), Code  
2 1966, is amended by striking from line fourteen (14) the words “next  
3 term of”.

4 Further amend said section by adding at the end thereof the words  
5 “within thirty days after their qualification as referees”.

1 SEC. 125. Section five hundred sixty-six point four (566.4), Code  
2 1966, is amended by striking from line twelve (12) the words “or  
3 judge”.

1 SEC. 126. Section five hundred sixty-six point seven (566.7), Code  
2 1966, is amended by striking from line four (4) the words “or judge”.

1 SEC. 127. Section five hundred sixty-six point eight (566.8), Code  
2 1966, is amended by striking from line three (3) the words “or judge”.

1 SEC. 128. Section five hundred sixty-six point eleven (566.11),  
2 Code 1966, is amended by striking from lines two (2) and three (3)  
3 the words “or judge thereof”.

4 Further amend said section by striking from line four (4) the words  
5 “or judge”.

1 SEC. 129. Section five hundred ninety-eight point twelve (598.12),  
2 Code 1966, is amended by striking from line two (2) the words “or  
3 judge”.

1 SEC. 130. Section five hundred ninety-eight point thirteen  
2 (598.13), Code 1966, is amended by striking from line two (2) the  
3 words “or judge”.

4 Further amend said section by striking from line seven (7) the  
5 words “or judge”.

1 SEC. 131. Section six hundred one point eighty-nine (601.89),  
2 Code 1966, is hereby repealed.

1 SEC. 132. Section six hundred one point ninety (601.90), Code  
2 1966, is amended by striking from lines (3), four (4) and five (5)  
3 the words "by noon of the second day of the term at which the appeal  
4 should properly come on for trial" and inserting in lieu thereof the  
5 words "within twenty days after perfection of the appeal".

6 Further amend said section by striking from line fifteen (15) the  
7 words "stand for trial at that term," and inserting in lieu thereof the  
8 words "be tried within ninety days thereafter,".

1 SEC. 133. Section six hundred one point ninety-six (601.96), Code  
2 1966, is repealed and the following enacted in lieu thereof:

3 "If the appeal is taken from a judgment by default, defendant may  
4 file within twenty days after perfection of the appeal in the court to  
5 which it is taken any pleadings necessary to properly set forth any  
6 defense he may have to the action. The court may, for good cause  
7 shown, grant additional time for filing such pleadings. The plaintiff  
8 shall reply thereto as in other cases. In such case the costs of the trial  
9 before the justice shall be taxed to the defendant."

1 SEC. 134. Section six hundred one point one hundred three  
2 (601.103), Code 1966, is amended by striking from line two (2) the  
3 words "at the first term" and inserting in lieu thereof the words "at  
4 any time after twenty days following issuance of the writ".

5 Further amend said section by striking from lines five (5), six (6)  
6 and seven (7) the words "before noon of the second day of the term  
7 at which the case should properly come on for hearing on such writ  
8 of error," and inserting in lieu thereof the following words "within  
9 twenty days after issuance of the writ".

1 SEC. 135. Section six hundred four point eleven (604.11), Code  
2 1966, is amended by striking the words "terms are" from line one (1)  
3 and inserting in lieu thereof the words "court is".

4 Further amend said section by striking from line four (4) the  
5 words "for such terms," and inserting in lieu thereof the word "there-  
6 for".

1 SEC. 136. Section six hundred four point twelve (604.12), Code  
2 1966, is amended by striking from line two (2) the words "terms of".

1 SEC. 137. Section six hundred four point thirty-seven (604.37),  
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "District judges shall not sit together in the trial of causes nor upon  
4 the hearings of motions for new trials. They may, however, hold court  
5 in the same county at the same time."

1 SEC. 138. Section six hundred four point thirty-nine (604.39),  
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "Delay in the preparation and signing of the record of court pro-  
4 ceedings shall not prevent the issuance of an execution and other pro-  
5 ceedings may be had in the same manner as though the record had  
6 been signed."

1 SEC. 139. Section six hundred four point forty (604.40), Code  
2 1966, is repealed.

1 SEC. 140. Section six hundred four point forty-one (604.41), Code  
2 1966, is repealed and the following enacted in lieu thereof:

3 "The record of any court proceedings is under the control of the  
4 court and may be amended or any entry therein expunged before it  
5 has been signed by the judge or within sixty days thereafter."

1 SEC. 141. Section six hundred four point forty-three (604.43),  
2 Code 1966, is repealed and the following enacted in lieu thereof:

3 "Entries made and signed, unless amended or expunged as above  
4 provided, may be altered only to correct an evident mistake."

1 SEC. 142. Section six hundred seven point six (607.6), Code 1966,  
2 is repealed and the following enacted in lieu thereof:

3 "Upon conclusion of every calendar quarter the clerk of the district  
4 court shall certify to the county auditor a list of the jurors with the  
5 number of days attendance to which each one is entitled."

1 SEC. 143. Section\* six hundred nine point eighteen (609.18) and  
2 six hundred nine point nineteen (609.19), Code 1966, are hereby re-  
3 pealed and the following enacted in lieu thereof:

4 "**Juries.** In counties containing a city having a population in excess  
5 of fifty thousand according to the latest decennial census, petit jury  
6 panels shall be drawn six times annually to serve for the following two  
7 months, and in other counties they shall be drawn four times annually  
8 to serve for the following three months. The number of jurors on a  
9 panel shall be ordered by a judge of the district."

1 SEC. 144. Section six hundred nine point twenty (609.20), Code  
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Petit jurors shall be drawn by the ex officio commission at the  
4 office of the clerk of the district court. The court may by order pre-  
5 scribe the time for such drawing. The clerk shall notify the jurors  
6 thus drawn of their selection and of their obligation to report for serv-  
7 ice when called."

1 SEC. 145. Section six hundred nine point twenty-two (609.22),  
2 Code 1966, is amended by striking from the end thereof the words  
3 "for the ensuing term of the court".

1 SEC. 146. Section six hundred nine point twenty-five (609.25),  
2 Code 1966, is amended by striking from lines four (4) and five (5)  
3 the words "at the time of the drawing of the petit jury panel for the  
4 January term" and inserting in lieu thereof the words "on the last  
5 secular Monday of December preceding the new calendar year".

1 SEC. 147. Section six hundred nine point thirty (609.30), Code  
2 1966, is amended by inserting after the word "immediately" in lines  
3 two (2) and three (3) the words ", upon order of the court".

4 Further amend said section by striking from line five (5) the words  
5 "at ten" and the remainder of that sentence and substituting in lieu  
6 thereof the words "at such times as the court may prescribe, to serve  
7 as petit or grand jurors, as the case may be,".

\*According to enrolled Act.

1 SEC. 148. Section six hundred nine point thirty-two (609.32), Code  
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "The twelve persons from whom the grand jury is to be impaneled  
4 shall convene regularly four times a year on the first secular Monday  
5 of the first month of each calendar quarter without summons, or upon  
6 summons at such other additional times as the court may order."

1 SEC. 149. Section six hundred nine point thirty-three (609.33),  
2 Code 1966, is amended by striking from line one (1) the word "sum-  
3 moned" and inserting in line two (2) after the word "appear" the  
4 words "at any regularly scheduled meeting date or when summoned".

1 SEC. 150. Section six hundred nine point thirty-five (609.35),  
2 Code 1966, is amended by striking from line two (2) the word "term"  
3 and inserting in lieu thereof the words "calendar quarter".

1 SEC. 151. Section six hundred nine point thirty-six (609.36), Code  
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "The judge presiding over any trial calendar assignment may order  
4 as many additional jurors drawn therefor, or for the trial of any case,  
5 as he deems necessary."

1 SEC. 152. Section six hundred nine point forty-four (609.44),  
2 Code 1966, is amended by striking from lines seven (7) and eight (8)  
3 the words "for any term," and inserting in lieu thereof the following  
4 words "during any calendar quarter".

1 SEC. 153. Section six hundred fourteen point three (614.3), Code  
2 1966, is amended by striking from lines five (5) and six (6) the words  
3 " , or a judge thereof,".

1 SEC. 154. Section six hundred sixteen point sixteen (616.16), Code  
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "Actions against municipal corporations in all counties where the  
4 district court convenes in more than one place must be brought in the  
5 county and at the place where court is held nearest to where the cause  
6 or subject of the action originated."

1 SEC. 155. Section six hundred twenty-two point seventy (622.70),  
2 Code 1966, is amended by striking from line three (3) the word  
3 "term" and inserting in lieu thereof the words "court session".

1 SEC. 156. Section six hundred twenty-two point eighty (622.80),  
2 Code 1966, is amended by striking from line six (6) the words "during  
3 the term of the court" and inserting in lieu thereof the words "by the  
4 court within a reasonable time thereafter".

1 SEC. 157. Section six hundred twenty-two point eighty-four  
2 (622.84), Code 1966, is amended by striking from lines eleven (11)  
3 and twelve (12) the words "or a judge thereof,".

1 SEC. 158. Section six hundred twenty-two point one hundred two  
2 (622.102), Code 1966, is amended by striking all of said section after  
3 the word "issued" in line six (6).

1 SEC. 159. Section six hundred twenty-four point three (624.3),  
2 Code 1966, is amended by striking from the last line thereof the words  
3 "to the second term".

1 SEC. 160. Section six hundred twenty-four point six (624.6), Code  
2 1966, is amended by striking from line two (2) the words "at the first  
3 term" and inserting in lieu thereof the words "at any time after the  
4 expiration of twenty days".

1 SEC. 161. Section six hundred twenty-four point seven (624.7),  
2 Code 1966, is amended by striking from lines four (4) and five (5) the  
3 words "either in term time or in vacation".

1 SEC. 162. Section six hundred twenty-four point eight (624.8),  
2 Code 1966, is amended by striking from line five (5) the words "or  
3 judge".

4 Further amend said section by striking from lines eleven (11),  
5 twelve (12) and thirteen (13) the words "at the first term of court  
6 of each year, and shall, at each succeeding term of court during said  
7 year," and inserting in lieu thereof the words "on or before January  
8 15, April 15, July 15 and October 15 of each year,".

9 Further amend said section by striking from line nineteen (19) the  
10 words "at the commencement of each term".

1 SEC. 163. Section six hundred twenty-four point nine (624.9),  
2 Code 1966, is amended by striking from lines five (5) and six (6) the  
3 words "or judge".

4 Further amend said section by striking from line thirty-two (32)  
5 the word " , judge,".

6 Further amend said section by striking from the last line thereof  
7 the words "or judge".

1 SEC. 164. Section six hundred twenty-four point thirty-six  
2 (624.36), Code 1966, is hereby repealed.

1 SEC. 165. Section six hundred twenty-six point nineteen (626.19),  
2 Code 1966, is amended by striking from line twelve (12) the words  
3 " , or a judge thereof,".

1 SEC. 166. Section six hundred twenty-six point twenty-eight  
2 (626.28), Code 1966, is amended by striking from lines two (2) and  
3 three (3) the words "next term thereafter" and inserting in lieu there-  
4 of the words "clerk of court".

1 SEC. 167. Section six hundred twenty-six point thirty-one  
2 (626.31), Code 1966, is amended by striking from line four (4) the  
3 words "next term of" and from line nine (9) the word "next term of  
4 the".

1 SEC. 168. Section six hundred twenty-six point thirty-three  
2 (626.33), Code 1966, is amended by striking from line seven (7) the  
3 words "or judge".

1 SEC. 169. Section six hundred twenty-six point seventy-nine  
2 (626.79), Code 1966, is amended by striking from lines three (3) and  
3 four (4) the words "at the same or the next term" and inserting in  
4 lieu thereof the words "within ninety days".

1 SEC. 170. Section six hundred twenty-six point eighty-nine  
2 (626.89), Code 1966, is amended by striking from line three (3) the  
3 words "on the first day of the term" and inserting in lieu thereof the  
4 words "within twenty days following completion of service".

1 SEC. 171. Section six hundred twenty-six point ninety-six  
2 (626.96), Code 1966, is amended by striking from line ten (10) the  
3 words "or judge".

1 SEC. 172. Section six hundred twenty-six point one hundred six  
2 (626.106), Code 1966, is amended by striking from line two (2) the  
3 words "or judge".

4 Further amend said section by striking all after the word "execu-  
5 tion" in line six (6).

1 SEC. 173. Section six hundred twenty-eight point seven (628.7),  
2 Code 1966, is amended by striking from line five (5) the words "or any  
3 judge".

4 Further amend said section by striking from lines eight (8) and  
5 nine (9) the words "or judge".

1 SEC. 174. Section six hundred twenty-eight point twenty-one  
2 (628.21), Code 1966, is amended by striking from line nine (9) the  
3 words "or a judge thereof".

1 SEC. 175. Section six hundred thirty point two (630.2), Code 1966,  
2 is amended by striking from line five (5) the words "or judge".

1 SEC. 176. Section six hundred thirty point three (630.3), Code  
2 1966, is amended by striking from lines five (5) and six (6) the words  
3 "or in vacation by a judge thereof".

4 Further amend said section by striking from lines seven (7) and  
5 eight (8) the words "or judges".

6 Further amend said section by striking from line nine (9) the words  
7 "or judge".

1 SEC. 177. Section six hundred thirty point five (630.5), Code 1966,  
2 is amended by striking from line two (2) the words "or judge".

1 SEC. 178. Section six hundred thirty point six (630.6), Code 1966,  
2 is amended by striking from line four (4) the words "or judge".

1 SEC. 179. Section six hundred thirty point seven (630.7), Code  
2 1966, is amended by striking from lines one (1) and two (2) the  
3 words "or judge".

1 SEC. 180. Section six hundred thirty point ten (630.10), Code  
2 1966, is amended by striking from line one (1) the word "judge".

1 SEC. 181. Section six hundred thirty-nine point thirteen (639.13),  
2 Code 1966, is amended by striking from lines three (3), five (5) and  
3 ten (10) the words "or judge" in each instance.

1 SEC. 182. Section six hundred thirty-nine point thirty-four  
2 (639.34), Code 1966, is amended by striking from line seven (7) the  
3 words "judge of any".

4 Further amend said section by striking from line ten (10) the words  
5 "by such judge".

6 Further amend said section by striking from line eleven (11) the  
7 words "him, or before".

1 SEC. 183. Section six hundred thirty-nine point thirty-six  
2 (639.36), Code 1966, is amended by striking from line three (3) the  
3 words "or judge".

1 SEC. 184. Section six hundred thirty-nine point thirty-nine  
2 (639.39), Code 1966, is amended by striking from line two (2) the  
3 words "or judge".

1 SEC. 185. Section six hundred thirty-nine point fifty-five (639.55),  
2 Code 1966, is amended by striking all of said section after the word  
3 "find" in line three (3).

1 SEC. 186. Section six hundred forty point three (640.3), Code  
2 1966, is amended by striking from lines three (3) and four (4) the  
3 words "or by the judge of any court".

1 SEC. 187. Section six hundred forty point four (640.4), Code 1966,  
2 is amended by striking from line four (4) the words "or judge".

1 SEC. 188. Section six hundred forty-three point five (643.5), Code  
2 1966, is amended by striking from lines seven (7), eight (8) and nine  
3 (9) the words "at the next term of the court, if in a court of record,  
4 or on the day fixed in the original notice, if in a justice's court," and  
5 inserting in lieu thereof the words "in court on or before the day fixed  
6 in the original notice,".

1 SEC. 189. Section six hundred forty-three point eleven (643.11),  
2 Code 1966, is amended by striking from line four (4) the words "or  
3 judge,".

1 SEC. 190. Section six hundred forty-three point fifteen (643.15),  
2 Code 1966, is amended by striking from lines two (2) and three (3)  
3 the words "on or before the first day of the trial term, or the return  
4 day if before a justice," and inserting in lieu thereof the words "within  
5 sixty days after its issuance or at an earlier time if the court shall  
6 order".

1 SEC. 191. Section six hundred forty-three point twenty-one  
2 (643.21), Code 1966, is amended by striking from line six (6) the  
3 words "or a judge".

1 SEC. 192. Section six hundred forty-eight point sixteen (648.16),  
2 Code 1966, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "Such actions shall be accorded reasonable priority for assignment  
5 to assure their prompt disposition. No continuance shall be granted  
6 for the purpose of taking testimony in writing."

1 SEC. 193. Section six hundred fifty point eleven (650.11), Code  
2 1966, is amended by striking from lines six (6), seven (7) and eight  
3 (8) the words "at least ten days before the first day of the term next

4 following that of" and inserting in lieu thereof the words "within  
5 sixty days after".

1 SEC. 194. Section six hundred fifty point twelve (650.12), Code  
2 1966, is amended by striking from the beginning of the first sentence  
3 the words "At the term of court" and inserting in lieu thereof the  
4 words "Within twenty days" and by striking all of line four (4) of  
5 said section.

1 SEC. 195. Section six hundred fifty-four point nine (654.9), Code  
2 1966, is amended by striking from line six (6) the words "or judge  
3 thereof,".

1 SEC. 196. Section six hundred fifty-seven point six (657.6), Code  
2 1966, is amended by striking from lines fourteen (14) and fifteen (15)  
3 the words "in term time or vacation,".

1 SEC. 197. Section six hundred sixty-one point eleven (661.11),  
2 Code 1966, is hereby repealed.

1 SEC. 198. Section six hundred sixty-one point fourteen (661.14),  
2 Code 1966, is hereby repealed and the following enacted in lieu there-  
3 of:

4 "The order commanding the performance of the duty shall be di-  
5 rected to the party and shall be returnable forthwith. No return except  
6 that of compliance shall be allowed; however, the court may upon suffi-  
7 cient grounds allow reasonable time for making the return."

1 SEC. 199. Section six hundred sixty-one point fifteen (661.15),  
2 Code 1966, is amended by striking from line ten (10) the words "or  
3 judge".

1 SEC. 200. Section six hundred sixty-one point sixteen (661.16),  
2 Code 1966, is amended by striking from lines two (2) and three (3)  
3 the words ", or judge in vacation,".

1 SEC. 201. Section six hundred seventy-five point seventeen  
2 (675.17), Code 1966, is amended by striking from line two (2) the  
3 word "judge" and inserting in lieu thereof the word "court".

4 Further amend said section by striking from line six (6) the words  
5 "judge or the district".

6 Further amend said section by striking from line seven (7) the  
7 words "to either".

8 Further amend said section by striking from line eight (8) the  
9 words "or judge".

1 SEC. 202. Section six hundred seventy-nine point eleven (679.11),  
2 Code 1966, is amended by striking from lines two (2) and three (3)  
3 the words "at the term to which it is returned,".

4 Further amend said section by striking the comma after the word  
5 "entered" in line four (4).

1 SEC. 203. Section six hundred eighty point one (680.1), Code  
2 1966, is amended by striking from line nine (9) the words "or judge".

3 Further amend said section by striking from line ten (10) the words  
4 "or, in vacation, the judge thereof,".

1 SEC. 204. Section six hundred eighty point three (680.3), Code  
2 1966, is amended by striking from line six (6) the words "or judge".

1 SEC. 205. Section six hundred eighty point four (680.4), Code  
2 1966, is amended by striking from line two (2) the words "or judge".

1 SEC. 206. Section six hundred eighty point ten (680.10), Code  
2 1966, is amended by striking from lines one (1) and two (2) the words  
3 "or any judge thereof".

4 Further amend said section by striking from line fifteen (15) the  
5 words "or judge".

1 SEC. 207. Section six hundred eighty point eleven (680.11), Code  
2 1966, is amended by striking from each of lines two (2), six (6) and  
3 nine (9) the words "or judge".

1 SEC. 208. Section six hundred eighty-one point eleven (681.11),  
2 Code 1966, is amended by striking all of said section after the word  
3 "notice" in line eight (8).

4 Further amend said section by adding the following:

5 "The action shall be accorded reasonable priority for assignment to  
6 assure its prompt disposition. The court may order a trial by jury but  
7 if it does not, it shall hear the proofs and allegations of the parties in  
8 the case and render such judgment thereon as shall be just."

1 SEC. 209. Section six hundred eighty-one point sixteen (681.16),  
2 Code 1966, is amended by striking from line three (3) the words "or  
3 judge".

1 SEC. 210. Section six hundred eighty-one point seventeen (681.17),  
2 Code 1966, is amended by striking from line eight (8) the words "or  
3 judge".

1 SEC. 211. Section six hundred eighty-one point nineteen (681.19),  
2 Code 1966, is amended by striking from each of lines two (2) and four  
3 (4) the words "or judge".

4 Further amend said section by striking from line five (5) the words  
5 ", or at the next term,".

1 SEC. 212. Section six hundred eighty-one point twenty-four  
2 (681.24), Code 1966, is amended by striking from line five (5) the  
3 words "or judge".

1 SEC. 213. Section six hundred eighty-one point twenty-five  
2 (681.25), Code 1966, is amended by striking all of the last line.

1 SEC. 214. Section six hundred eighty-one point twenty-nine  
2 (681.29), Code 1966, is amended by striking from lines seven (7) and  
3 eight (8) the words ", or any judge thereof,".

1 SEC. 215. Section six hundred eighty-one point thirty (681.30),  
2 Code 1966, is amended by striking from lines three (3) and four (4)  
3 the words "or judge".

4 Further amend said section by striking from line six (6) the words  
5 "or judge".

1 SEC. 216. Section six hundred eighty-one point thirty-one  
2 (681.31), Code 1966, is hereby repealed.

1 SEC. 217. Section six hundred eighty-two point twenty-six  
2 (682.26), Code 1966, is amended by striking from line two (2) the  
3 words "or judge thereof".

4 Further amend said section by striking from lines nine (9) and ten  
5 (10) the words "or judge thereof".

6 Further amend said section by striking from lines fourteen (14)  
7 and fifteen (15) the words "or judge thereof".

1 SEC. 218. Section six hundred eighty-two point twenty-nine  
2 (682.29), Code 1966, is amended by striking from line seven (7) the  
3 words ", or judge thereof,".

1 SEC. 219. Section six hundred eighty-two point thirty (682.30),  
2 Code 1966, is amended by striking from line two (2) the words "or  
3 judge".

4 Further amend said section by striking from line two (2) the words  
5 "or his".

6 Further amend said section by striking from line five (5) the words  
7 "or judge".

8 Further amend said section by striking from line nine (9) the words  
9 "or judge".

1 SEC. 220. Section six hundred eighty-two point thirty-nine  
2 (682.39), Code 1966, is amended by striking from line seven (7) the  
3 words "or judge,".

1 SEC. 221. Section six hundred eighty-two point forty-four  
2 (682.44), Code 1966, is amended by striking from line ten (10) the  
3 words "a judge of".

1 SEC. 222. Section six hundred eighty-two point forty-seven  
2 (682.47), Code 1966, is amended by striking from lines nine (9) and  
3 ten (10) the words "or a judge thereof,".

4 Further amend said section by striking from line fifteen (15) the  
5 words ", or a judge thereof,".

6 Further amend said section by striking from line seventeen (17)  
7 the words "or judge".

1 SEC. 223. Section six hundred eighty-three point three (683.3),  
2 Code 1966, is amended by striking from line five (5) the words "or a  
3 judge thereof".

1 SEC. 224. Section six hundred ninety-six point nine (696.9), Code  
2 1966, is amended by striking from lines five (5) and six (6) the words  
3 "or to a judge thereof who, in vacation or term time," and inserting  
4 in lieu thereof the word "which".

1 SEC. 225. Section seven hundred fifty-seven point three (757.3),  
2 Code 1966, is amended by striking from lines thirteen (13) and four-  
3 teen (14) the words ", on the first day of the following term" and  
4 inserting in lieu thereof the words "on a date entered on the bond  
5 which shall be not less than twenty nor more than thirty days after  
6 bail is given".

1 SEC. 226. Section seven hundred fifty-seven point four (757.4),  
2 Code 1966, is amended by striking from line twenty-three (23) the  
3 words "first day of the next term thereof," and inserting in lieu there-  
4 of the following: "..... day of ..... (month) 19..... (year)  
5 (which date shall correspond with the date entered upon the bond)."

1 SEC. 227. Section seven hundred fifty-eight point five (758.5),  
2 Code 1966, is amended by striking from lines fourteen (14) and fif-  
3 teen (15) the words ", on the first day of the next term thereof,".

1 SEC. 228. Section seven hundred fifty-eight point six (758.6),  
2 Code 1966, is amended by striking from said section all after the word  
3 "appear" in line nineteen (19) and inserting in lieu thereof the words  
4 "as soon as convenient and within twenty days after taking the bail,  
5 the affidavits, the order of commitment, and discharge, together with  
6 the undertaking of bail, and he shall file the same in his office."

1 SEC. 229. Section seven hundred sixty point five (760.5), Code  
2 1966, is amended by striking from lines seven (7) and eight (8) the  
3 words "at the next term thereof".

1 SEC. 230. Section seven hundred sixty point seven (760.7), Code  
2 1966, is amended by striking from said section all after the word  
3 "county" in line five (5) and inserting in lieu thereof the words  
4 "within twenty days after perfection of the undertaking. Subject to  
5 the provisions of sections seven hundred sixty point ten (760.10) and  
6 seven hundred sixty point eleven (760.11) of the Code, without notice  
7 of appeal, the case shall stand for trial in the district court."

1 SEC. 231. Section seven hundred sixty point eight (760.8), Code  
2 1966, is amended by striking from lines eight (8), nine (9) and ten  
3 (10) the words "extending beyond the next term of the district court  
4 of the county, as hereinbefore provided," and inserting in lieu thereof  
5 the words "not exceeding ninety days".

1 SEC. 232. Section seven hundred sixty point ten (760.10), Code  
2 1966, is amended by striking from lines five (5) and six (6) the words  
3 "on the first day of the next term of the district court of the county,"  
4 and inserting in lieu thereof the words "within ninety days following  
5 the date of the undertaking,".

1 SEC. 233. Section seven hundred sixty-one point twenty-five  
2 (761.25), Code 1966, is amended by striking from lines four (4), five  
3 (5) and six (6) the words ", on or before its opening, on the first day  
4 of the next term thereof, and".

1 SEC. 234. Section seven hundred sixty-two point thirty-six  
2 (762.36), Code 1966, is amended by striking from lines ten (10),  
3 eleven (11) and twelve (12) the words "shall stand for hearing in  
4 said court at the term thereof commencing next after said papers are  
5 filed." and substituting in lieu thereof the words "shall be accorded  
6 reasonable priority in trial assignment to assure its prompt disposi-  
7 tion."

1 SEC. 235. Section seven hundred sixty-two point forty-four  
2 (762.44), Code 1966, is amended by striking from lines twenty-one

3 (21) and twenty-two (22) the words “, at the term thereof to which  
4 the appeal is returnable,” and inserting in lieu thereof the words  
5 “on the ..... day of ..... (month) 19..... (year) (which  
6 date shall be not more than twenty days after perfection of the under-  
7 taking).”

1 SEC. 236. Section seven hundred sixty-two point forty-seven  
2 (762.47), Code 1966, is amended by striking from line seven (7) the  
3 words “at the term at which it is returnable,”.

4 Further amend said section by striking from lines eight (8), nine  
5 (9) and ten (10) the words “at least ten days before the first day of  
6 such term of the district court of the county,” and inserting in lieu  
7 thereof the words “within twenty days after perfection of the appeal  
8 and undertaking,”.

1 SEC. 237. Section seven hundred sixty-three point four (763.4),  
2 Code 1966, is amended by striking from line twenty-one (21) the  
3 words “at the next term thereof” and inserting in lieu thereof the  
4 words “on the ..... day of ..... (month), 19..... (year)  
5 (which date shall not be more than twenty days after perfection of  
6 the undertaking),”.

1 SEC. 238. Section seven hundred sixty-eight point one (768.1),  
2 Code 1966, is amended by striking from lines three (3), four (4) and  
3 five (5) of subsection two (2) the words “at the next term after the  
4 surrender, or, if during term time, at the same term, and”.

1 SEC. 239. Section seven hundred sixty-eight point three (768.3),  
2 Code 1966, is amended by striking from lines eight (8), nine (9) and  
3 ten (10) the words “at the next term after the surrender, or, if during  
4 the term at the same term,”.

1 SEC. 240. Section seven hundred sixty-nine point two (769.2),  
2 Code 1966, is amended by striking from line four (4) the words  
3 “, either in term time or in vacation,”.

1 SEC. 241. Section seven hundred sixty-nine point nine (769.9),  
2 Code 1966, is amended by striking from lines three (3) and four (4)  
3 the words “or any judge thereof”.

1 SEC. 242. Section seven hundred sixty-nine point fourteen  
2 (769.14), Code 1966, is hereby repealed and the following enacted in  
3 lieu thereof:

4 “Upon the filing of such information the clerk shall issue a warrant  
5 for the arrest of the accused, and the court, or in the absence of a  
6 judge thereof, the clerk, shall fix the bail, if bail is allowable; the  
7 action of the clerk being reviewable by the court.”

1 SEC. 243. Sections seven hundred sixty-nine point twenty-four  
2 (769.24) through seven hundred sixty-nine point thirty (769.30),  
3 inclusive, Code 1966, are hereby repealed.

1 SEC. 244. Section seven hundred seventy point one (770.1), Code  
2 1966, is amended by striking from lines one (1), two (2) and three  
3 (3) the words “At the term of court at which grand jurors are re-  
4 quired to appear” and inserting in lieu thereof the following: “On the

- 5 first secular Monday of the first month of each calendar quarter at  
6 which grand jurors are required to appear or at such alternative times  
7 as may be prescribed by the court.”
- 8 Further amend said section by striking from lines six (6) and seven  
9 (7) the words “on the second day of each term of court.”
- 10 Further amend said section by striking from line eight (8) the  
11 words “or judge”.
- 12 Further amend said section by striking from line twelve (12) the  
13 word “term” and inserting in lieu thereof the words “calendar quar-  
14 ter”.
- 15 Further amend said section by striking from lines fourteen (14)  
16 and fifteen (15) the words “said second day of the court” and insert-  
17 ing in lieu thereof the words “the day designated for their appear-  
18 ance”.
- 1 SEC. 245. Section seven hundred seventy point two (770.2), Code  
2 1966, is amended by striking from line eight (8) the words “for the  
3 term”.
- 1 SEC. 246. Section seven hundred seventy point eleven (770.11),  
2 Code 1966, is amended by striking from line three (3) the words “or  
3 judge”.
- 1 SEC. 247. Section seven hundred seventy-one point twenty-one  
2 (771.21), Code 1966, is amended by striking from lines thirteen (13)  
3 and fourteen (14) the words “term of court” and inserting in lieu  
4 thereof the words “current jury session”.
- 1 SEC. 248. Section seven hundred seventy-four point four (774.4),  
2 Code 1966, is amended by striking from line seventeen (17) all after  
3 the word “indictment” and all of lines eighteen (18), nineteen (19)  
4 and twenty (20).
- 1 SEC. 249. Section seven hundred seventy-seven point twelve  
2 (777.12), Code 1966, is amended by striking from lines nine (9), ten  
3 (10) and eleven (11) the words “The plea may be entered in vacation  
4 at the usual place of holding court in any county of the judicial dis-  
5 trict.”
- 1 SEC. 250. Section seven hundred eighty point twenty-six (780.26),  
2 Code 1966, is amended by striking from lines two (2) and three (3)  
3 the words “at or before the next term,” and inserting in lieu thereof  
4 the words “within ninety days after such order of suspension.”
- 1 SEC. 251. Section seven hundred eighty-one point two (781.2),  
2 Code 1966, is amended by striking from line three (3) the words “or  
3 judge thereof”.
- 1 SEC. 252. Section seven hundred eighty-one point fourteen  
2 (781.14), Code 1966, is amended by striking from line thirteen (13)  
3 the words “a judge of”.
- 4 Further amend said section by striking from lines fifteen (15) and  
5 sixteen (16) the words “, which may be during a session of court or  
6 in vacation.”
- 7 Further amend said section by striking from line nineteen (19) the  
8 word “judge” and inserting in lieu thereof the word “court”.

1 SEC. 253. Section seven hundred eighty-four point four (784.4),  
2 Code 1966, is amended by striking from line six (6) the words "at the  
3 same or another term of the court" and inserting in lieu thereof the  
4 words "at a later trial assignment".

1 SEC. 254. Section seven hundred eighty-five point nine (785.9),  
2 Code 1966, is amended by striking from lines seven (7) and eight (8)  
3 the words "the same or another term" and inserting in lieu thereof the  
4 words "a subsequent trial assignment".

1 SEC. 255. Section seven hundred eighty-eight point two (788.2),  
2 Code 1966, is hereby repealed and the following enacted in lieu there-  
3 of:  
4 "The motion may be made at any time before or within ninety days  
5 after judgment."

1 SEC. 256. Section seven hundred eighty-nine point four (789.4),  
2 Code 1966, is amended by striking from lines twenty-two (22),  
3 twenty-three (23) and twenty-four (24) all after the word "judg-  
4 ment".

1 SEC. 257. Section seven hundred eighty-nine point ten (789.10),  
2 Code 1966, is hereby repealed.

1 SEC. 258. Section seven hundred ninety-five point one (795.1),  
2 Code 1966, is hereby repealed and the following enacted in lieu there-  
3 of:  
4 "When a person is held to answer for a public offense, if an indict-  
5 ment be not found against him within thirty days, the court must  
6 order the prosecution to be dismissed, unless good cause to the con-  
7 trary be shown. An accused not admitted to bail and unrepresented  
8 by legal counsel shall not be deemed to have waived the privilege of  
9 dismissal or be held to make demand or request to enforce a guarantee  
10 of speedy trial, and the court on its own motion shall carry out the  
11 provisions of this section as to dismissal."

1 SEC. 259. Section seven hundred ninety-five point two (795.2),  
2 Code 1966, is hereby repealed and the following enacted in lieu there-  
3 of:  
4 "If a defendant indicted for a public offense, whose trial has not  
5 been postponed upon his application, be not brought to trial within  
6 sixty days after the indictment is found, the court must order it to be  
7 dismissed, unless good cause to the contrary be shown. An accused not  
8 admitted to bail and unrepresented by legal counsel, shall not be  
9 deemed to have waived his privilege of dismissal to be held to make  
10 demand or request to enforce a guarantee of speedy trial, and the  
11 court on its own motion shall carry out the provisions of this section  
12 as to dismissal."

1 SEC. 260. Section seven hundred ninety-five point three (795.3),  
2 Code 1966, is amended by striking from line five (5) the words "from  
3 term to term,".

4 Further amend said section by striking from lines ten (10) and  
5 eleven (11) the words "beyond the following three terms of the court"

6 and inserting in lieu thereof the words "for more than ninety days  
7 beyond the date within which the trial would otherwise be required".

1 SEC. 261. Section six hundred four point fourteen (604.14), Code  
2 1966, is hereby repealed and the following enacted in lieu thereof:

3 "The district court of each judicial district shall be in continuous  
4 session in all of the several counties comprising said district."

1 SEC. 262. Sections six hundred four point fifteen (604.15) through  
2 six hundred four point thirty-six (604.36), inclusive, Code 1966, are  
3 hereby repealed.

Approved July 27, 1967.

This Act was passed by the G. A. before July 1, 1967.

## CHAPTER 401

### COURT RULES OF ADMINISTRATION AND CIVIL PROCEDURE

#### S. F. 221

AN ACT relating to the internal operation of the district court in rendering services.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Chapter six hundred four (604), Code 1966, is amend-  
2 ed by adding the following section:

3 "The supreme court shall adopt and enforce rules for the orderly  
4 and efficient internal operation of the district court in rendering ju-  
5 dicial services. Such rules shall provide for a court session by a judge  
6 at least once each week in each county to be fixed in advance and an-  
7 nounced in the form of a printed schedule, provided that, if in the  
8 opinion of the chief judge more efficient operations in the district  
9 will result, such court sessions may be at different intervals than once  
10 each week. They shall also provide for additional sessions for the trial  
11 of cases in each county of such frequency as will promptly dispose of  
12 the pending cases ready for trial. Such rules shall be adopted in the  
13 manner provided in section six hundred eighty-four point nineteen  
14 (684.19) of the Code.

15 "The designations and the rules of court administration and civil  
16 procedure required to carry out this section shall be made and adopted  
17 by January 1, 1968, and be effective until July 1, 1969 notwithstanding  
18 sections six hundred eighty-four point nineteen (684.19) and six hun-  
19 dred eighty-four point twenty-one (684.21) of the Code."

Approved July 27, 1967.

This Act was passed by the G. A. before July 1, 1967.